

### **REMARKS**

These remarks are in response to the Final Office Action mailed April 20, 2007. Claims 14, 18, 19, 20 and 27 have been amended. Support for the amendments can be found throughout the specification and claims as filed. In particular, the amendments are supported by the pending claims. The claims have been amended to reorganize and provide a "contacting" of the compound with the cells. Claims 18, 19 and 20 have been amended to correct antecedent basis to "at least one cell" as set forth in the independent claim 14. No new matter is believed to have been introduced.

Applicants acknowledge the Examiner's indication that the claims are free of the art.

### **REJECTION UNDER 35 U.S.C. §112, SECOND PARAGRAPH**

Claims 14-27 stand rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants respectfully traverse this rejection with respect to the amended claims.

Applicants have amended the claims to set forth that the cells are contacted with a compound and measuring a biological activity or toxicity. Applicants believe that the amendments and remarks above overcome the rejection. Accordingly, Applicants respectfully request withdrawal of the rejection.

Applicants respectfully request that if there should be any questions regarding the foregoing amendments or remarks that the Examiner call the undersigned. The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment of fees to Deposit Account No. 02-4800.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY LLP

Date: June 20, 2007

By: 

Joseph R. Baker, Jr.  
Registration No. 40,900

P.O. Box 1404  
Alexandria, VA 22313-1404  
858.509.7300